

FARMINGTON CITY COUNCIL MEETING

March 21, 2017

WORK SESSION

*Present: Mayor **Jim Talbot**, Councilmembers **John Bilton**, **Cory Ritz**, **Brigham Mellor**, **Brett Anderson**, **Doug Anderson** (via phone); City Manager **Dave Millheim**, Fire Chief **Guido Smith**, Police Chief **Wayne Hansen**, Community Development Director **David Petersen**, City Engineer **Chad Boshell**, City Planner **Eric Anderson**, City Recorder **Holly Gadd**, and Recording Secretary **Tarra McFadden***

Mayor **Jim Talbot** called the work session to order at 6:05 and Councilmember **Brett Anderson** offered an invocation. Mayor Talbot welcomed Senator **Stuart Adams**, Senator **Jerry Stephenson** and Representative **Brad Wilson**. **Steve Mecham**, **Eric Isom** and **Steve Barth** of MIB Partners were also present as guests of the Mayor and City Council.

Legislative Debrief

City Manager **Dave Millheim** stated that the purpose of the meeting was to hear from leaders of the Utah Legislature about the recently passed highway bond. Senator **Stuart Adams** acts as the Majority Whip and sits on the Senate Transportation, Public Utilities, Energy and Technology Committee, Senator **Jerry Stephenson** serves on the Executive Appropriations Committee, and Representative **Brad Wilson** is the House Majority Leader. As they serve in leadership roles and represent portions of Davis County, they are in a unique position to provide insight about the West Davis Corridor and other infrastructure projects.

Jim Talbot expressed interest in obtaining a solid date for the Record of Decision for the West Davis Corridor as it impacts current planning decisions.

Senator **Stuart Adams** stated that the legislature approved the billion dollar Highway Bond but did not include a specific list of projects leaving that task to the Transportation Commission. The bond will likely focus on repairs from Clearfield to 31st Street on I-15, steps to remediate congestion at the I-15 and I-215 connection, and I-15 from Salt Lake to Utah County at the Point of the Mountain. West Davis Corridor may also be programmed with these funds. **Stuart Adams** expects a robust public dialogue regarding project selection.

Senator **Jerry Stephenson** said the State of Utah is cautious about indebtedness and is careful about bond limits and the risk of jeopardizing the State's bond rating. With the additional money in the transportation fund, project timelines will move forward 2 years and be completed sooner than expected.

Representative **Brad Wilson** noted that key issues remain regarding when West Davis Corridor will go in and where it will be. Davis County and Northern Utah will benefit from the increased access. He stated that Farmington will be a key to job creation over the next decade and the development of North Station is greatly anticipated.

Councilmember **John Bilton** expressed appreciation for the work of Adams, Stephenson and Wilson and appreciated them taking the time to discuss the highway bond. **John Bilton** noted that the vision

that the Council has for the city is for a work/play/live environment without the need to commute. **Jim Talbot** noted that the West Davis Corridor has been a difficult issue for the Council and hopes that Farmington will come out a winner. He stressed the importance of the Shepard Lane interchange, an arterial road to connect with West Davis Corridor and a pedestrian bridge along Park Lane. **Doug Anderson** shared that he has not been supportive of West Davis Corridor but is committed to working with the Transportation Commission and other leaders for the benefit of Farmington. **Jim Talbot** was complimentary of Carlos Braceras and Randy Jefferies of UDOT.

REGULAR SESSION

*Present: Mayor **Jim Talbot**, Councilmembers **John Bilton**, **Cory Ritz**, **Brigham Mellor**, **Brett Anderson**; City Manager **Dave Millheim**, City Development Director **David Petersen**, City Engineer **Chad Boshell**, City Planner **Eric Anderson**, City Recorder **Holly Gadd**, Recording Secretary **Tarra McFadden**, and Youth City Councilmember **Ady Hendricks**.*

*Excused: Councilmember **Doug Anderson***

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:08 p.m. He excused Councilmember **Doug Anderson** and thanked Councilmember **John Bilton** for conducting the previous weeks' meetings as Mayor Pro Tem.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Dave Millheim** and the Pledge of Allegiance was led by Councilmember **Cory Ritz**.

Youth City Councilmember **Ady Hendricks** introduced herself. She is a sophomore at Viewmont High School and her favorite subject to study is Math.

PUBLIC HEARINGS:

Road Capital Facilities Plan Amendment

David Petersen presented information from the staff report regarding the road capital facilities plan. The plan outlines priorities for projects and the time frame for completion. Approving the 650 West project requires amending the plan to adjust projects to better align with the when projects will be completed and with the collection of impact fees. **David Petersen** recommended that the City Council modify the plan as shown in the staff report as a prelude for greater amendments to the plan anticipated in the near future.

*Mayor **Jim Talbot** opened the public hearing at 7:14 p.m.; with no one signed up to address the Council on the issue, he closed the public hearing at 7:14 p.m.*

Motion:

Brigham Mellor moved to approve the Resolution amending the Road Capital Facilities Plan as outlined in the staff report.

John Bilton seconded the motion. The Road Capital Facilities Plan Amendment was approved unanimously.

Zoning Ordinance Amendment to Business Park (BP) Zones

Eric Anderson stated that the applicant purchased property on the Frontage Road as it bends to intersect with 200 West to build an assisted living facility and a few single family residential homes. The property is zoned as BP (Business Park) does not allow for single-family or multi-family residential as permitted or conditional uses. The ordinance which residential uses are permitted as PUDs (Planned Unit Developments), requires a minimum area of 5 acres while the subject property is 3.33 acres. Staff recommends that the ordinance be amended to require a minimum development acreage of not less than three acres for a residential planned unit development.

Mayor Jim Talbot opened the public hearing at 7:17 p.m.; with no one signed up to address the Council on the issue, he closed the public hearing at 7:17 p.m.

Motion:

John Bilton moved to that the City Council approve the enabling ordinance amending Section 11-14-050 of the Zoning Ordinance as enclosed in the staff report.

Brett Anderson seconded the motion which was approved unanimously.

Findings:

1. Amending the minimum area required for a planned unit development to a lower threshold, will give future applicants more flexibility with design, and increase the opportunity for in-fill development within the BP zone.
2. Planned Unit Developments are legislative decisions, and thus discretionary. The applicant will still be required to receive legislative approval for his site plan and the use; this zone text change allows the applicant to move forward with his application for review by the City.
3. The zone text change has no effect on the ultimate decision as to whether the PUD will be approved or denied; it simply gives the City a chance to review any such application in the future.
4. Only two other vacant properties exist in the BP zone within the current city boundaries: a 1.8 acre parcel at 200 West south of Horizon Credit Union, and a .38 acre parcel at the northeast corner of Park Lane and Main Street; neither site exceeds 3 acres in size.

OLD BUSINESS:

Supplemental Information for 650 West Road Improvement Project Scope and Budget

The City Council discussed the supplemental information provided by staff for 650 West Road Improvement Project Scope and Budget. **Cory Ritz** expressed a desire to review the associated costs of the various extension agreements by linear foot before making a decision regarding the scope and budget. **Brett Anderson** asked if the vote could move forward approving the bid and budget as a separate decision from approving the extension agreements. **Brett Anderson** acknowledged that the scope was previously agreed to, but was seeking additional information regarding costs to residents.

Dave Millheim clarified that approving the bid as presented would allow staff to notify winning contractor and extension agreement holders and their respective responsibilities. Once the extension agreement holders are notified, they have 90 days to determine if they will complete the work themselves or have the City contractor complete the work. **Dave Millheim** suggested that if the Council was not ready to approve the scope and budget, that the bid should not be awarded. He expressed that there was some urgency in the decision to begin the process to allow the contractor to have asphalt down by the end of the year and reminded the Council that they were presented with the timeline at the March 7 work session.

Brigham Mellor reiterated that the decision was made in December to call the extension agreements as part of the budget and that the cross section and roads for the project scope were also agreed to. He further noted that Prop 1 funds and the TIGER grant were committed to the project to offset costs to residents. **Brigham Mellor** also stated that the staff provided information in the packet related to cost per linear foot as part of the contractor bid; although not spelled out in cost per extension agreement the information provided could be used to determine such an amount.

Brett Anderson stated that he had not contemplated that the extension agreements would be called as part of the award of the bid and instead anticipated a limited decision. **Jim Talbot** explained that he was concerned about the impact to the timeframe of the project. He encouraged the Council to move to approve the scope and budget as it is a favorable bid for the City and residents and the extension agreement holders would be assessed according to their particular extension agreement requirements.

Award of Bid for 650 West Project

Following the discussion of the Supplemental Information for 650 West Road Improvement Project Scope and Budget

Motion:

John Bilton moved to approve the project scope for construction of the 650 West Road Improvement Project as outlined in the staff report and approve construction services and contract for the 650 West Street Improvement Project to Wardell Brothers Construction for the amount of \$2,446,100.50.

Brigham Mellor seconded the motion.

The motion to approve the budget, scope and award the bid related to the 650 West Improvement Project was approved on a 3-2 vote. Those members voting aye were **John Bilton** and **Brigham Mellor**. Those voting nay were: **Brett Anderson** and **Cory Ritz**. Mayor **Jim Talbot** cast a tie-breaking vote in the affirmative.

Dave Millheim indicated that staff would give notice to Wardell Brothers and prepare letters and respective notices to extension agreement holders. The Council would be copied on related correspondence. **Dave Millheim** clarified for residents that the design specifications would be available online and that extension agreement holders may complete the road work independently or use Wardell Brothers.

650 West and Glovers Lane Reimbursement Agreements

Dave Petersen outlined the reimbursement agreements from Davis School District, Ivory Homes, Rainey Homes and the LDS Church. Davis School District indicated that the agreement mirrors the Memorandum of Understanding currently in place so an additional agreement is unnecessary.

Motion:

Brigham Mellor moved that the City Council approve the reimbursement agreements related to the 650 West and Glover's Lane public improvements project for: 2) LDS Church, 3) Rainey Homes, and 4) Ivory Homes as contained in the staff report.

Brett Anderson seconded the motion which was approved unanimously.

Kaysville Boundary Adjustment – Resolution of Intent – Lowell Johnson

David Petersen explained that **Lowell Johnson** owns property in Kaysville and has recently purchased the adjacent property from UDOT which has been determined to be in Farmington. **Lowell Johnson** has not determined how the property will be developed moving forward, but would like to have the boundary line adjusted so that his now contiguous property is within one city.

Councilmembers asked **David Petersen** to outline the pros and cons of the boundary adjustment and he indicated that the piece in Farmington is awkward piece with limited development opportunities and so it makes sense that it become a contiguous property within Kaysville, but that would give Kaysville City the rights to determine what is developed on the property. **David Petersen** also noted that if municipal boundary line were adjusted to contain the property in Kaysville, it would abut sidewalk, curb and gutter that would be maintained by Farmington City.

Lowell Johnson, owner of property located at 1322 South Main in Kaysville and a resident of West Layton, petitioned to go to Kaysville because UDOT will not allow an entrance to the property on the Farmington side because it would be too close to the intersection. **Lowell Johnson** noted that he has access to utilities and related infrastructure through the cul-de-sac adjacent to his property. He has been deeded a private road that will allow him to have access from the cul-de-sac to the now contiguous property.

David Petersen clarified that agreeing to the resolution is not a final boundary decision, but starts the municipal boundary line adjustment process as set forth in the State Code which requires a resolution for study, a four week public notice and a public hearing.

Motion:

Brigham Mellor moved that the City Council adopt the resolution initiating the process to adjust the common boundary line between Farmington City and Kaysville at the northwest corner of Main Street and 1075 West as contained in the staff report.

John Bilton seconded the motion which was approved unanimously.

SUMMARY ACTION:

1. Line of Duty Benefits for Public Safety
2. Cooperative Agreement with UDOT for Frontage Road Improvements
3. Approval of Minutes from March 7, 2017
4. Hunters Creek Conservation Easement Amendment
5. Residences of Farmington Hills Sidewalk Extension Agreement
6. Davis Creek Pioneering Agreement
7. Off Duty Police Vehicle Use/Residency Requirements

Brett Anderson suggested that the Council should discuss extension agreements as policy issue in a future work session.

Brett Anderson moved, with a second from **Brigham Mellor**, to approve summary action item 1 through 7 as contained in the staff report.

The motion was approved unanimously.

GOVERNING BODY REPORTS:

City Council Committee Reports

Brigham Mellor had no committee updates, but reminded Councilmembers about the Utah League of Cities and Towns meeting in St. George, April 5-7.

Brett Anderson noted that the Trails Committee had concerned about accessibility of the trail near Point of View Park. **Dave Millheim** committed to following up on that issue. **Brett Anderson** indicated that the Trails Committee will begin using the Justserve.org website to list community service projects related to Farmington City trails and solicit volunteers. The Trails Committee requested that their spot in the Farmington parade be reevaluated.

John Bilton asked that the Council discuss the request for a triathlon in Farmington. **Dave Millheim** did not have any information regarding the request. **Jim Talbot** suggested that the organizers of the event should present to the City Council in an upcoming work session.

Cory Ritz provided an update about mosquito abatement. He indicated that the crews have been hired, but are not planning to start for another month or so. The abatement crews operate foggers driven by trucks, utilize bikes to deliver abatement materials throughout drains, and service other parts of the city via boat, airplane and ATVs. Residents may request mosquito fish for private ponds.

Holly Gadd distributed a tentative schedule proposed by Assistant City Manager Keith Johnson for the Farmington City Budget FY 2017 Review and FY 2018 Approval Process.

City Manager Report

1. Executive Summary for Planning Commission held on March 9, 2017
2. Police and Fire Monthly Activity Reports for February
3. Building Activity Report for February

The City Manager report contained in the packet was presented with no discussion.

CLOSED SESSION

Motion:

At 8:46 p.m., **Brett Anderson** made a motion to go into a closed meeting for purpose of property acquisition. **John Bilton** seconded the motion which was unanimously approved.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

At 9:18 p.m., a motion to reconvene into an open meeting was made by **Brigham Mellor**. The motion was seconded by **Brett Anderson** which was unanimously approved.

ADJOURNMENT

Motion:

At 9:18 p.m., **Brigham Mellor** made a motion to adjourn the meeting. **John Bilton** seconded the motion which was unanimously approved.

Holly Gadd, City Recorder

Posted April 24, 2017